

CASE HUFF CHRONICLE

"THE COMMERCIAL PROPERTY SPECIALISTS"

- Towing Basics
- Arizona Laws

SOLVED

**TOW IT
RIGHT**

→ TOWING BASICS

Parking lots have been utilized to abandon unwanted or stolen vehicles since the invention of the wheel. Before having a suspected abandoned vehicle towed from your property, it pays to dot your "I's" and cross your "T's" so you don't find yourself in a real life episode of Grand-Theft-Auto. The first step is to know the laws.

Ordinances vary by municipality, but Arizona's private-property laws include:

- **It is legal** for the public to park on private property unless the area is *posted with signs* that are clearly visible from any point within the area and at each entrance.
- **It is illegal** for a private-property towing carrier to remove a vehicle from private property without the permission of the vehicle owner or operator unless that company gets permission to do so from a law-enforcement agency or written permission from either the owner of the property or the property-owner's agent. Having a written contract with a towing company provides for this.



Towing & Storage Costs: *(charged to the owner of vehicle)*

City of Phoenix:

- Has capped towing charge at \$105.
- Has capped storage charges at \$20 per day.

City of Tempe:

- Has capped towing charge at \$120.
- Has capped after-hours release fee at \$20.

City of Glendale:

- Has capped storage charges at \$20 per day. Companies may not charge storage fees for vehicles recovered within two hours of its delivery to the storage location.

City of Scottsdale:

- The maximum charge for towing, transporting and impounding a vehicle from private property without the permission of the owner or a law-enforcement officer is \$75.





ARIZONA LAWS

With regard to towing and storage costs, ARS (Arizona Revised Statutes) 28-4837 makes clear that the owner of a vehicle that is removed is liable for reasonable costs incurred as long the officer under the employ of the public agency removing the vehicle acts within the bounds of his/her lawful authority.

Note that the law requires that signs be posted on the property. These should warn drivers of the possibility of being towed if they are illegally parked and provide the contact information for the towing company in order to reclaim their vehicle. These signs are typically provided at no charge by the contracted towing company.

Is your property management company abiding by state and municipal laws by having an actual towing contract in place with a reputable towing company? Are your parking lots marked in accordance with legal standards? If not, you could be liable for illegally towed vehicles. Contact Case, Huff & Associates at (602) 252-9300.



"The first step is to know the laws..."



**CASE
HUFF
& ASSOCIATES**

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